

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
GWENDELYN BUFFINGTON	§	CASE NO. 24-42227-R
XXX-XX-8232	§	
2324 YEAGER ST	§	CHAPTER 13
FORT WORTH, TX 76112	§	
	§	
DEBTOR	§	

TRUSTEE'S REPORT FOR CONFIRMATION AND WITNESS AND EXHIBIT LIST

TRUSTEE'S REPORT FOR CONFIRMATION

Attorney for Debtor: HERRIN LAW PLLC

Trustee: CAREY D. EBERT

Plan filed on: January 3, 2025

Confirmation Hearing: February 19, 2025

Applicable Commitment Period: 36

I. Budget Information

A. Monthly income:

Debtor	\$	2,260.05
Joint Debtor	\$	0.00
Other	\$	0.00
Total	\$	2,260.05
Expenses	\$	2,032.00
Difference	\$	228.05

B. Monthly plan payments *

\$225.00	for 60 months =	\$	13,500.00
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II. Analysis of Plan

A. Monthly plan payment	*
B. Plan duration in months	60
C. Total to be paid into plan	\$ 13,500.00
D. Administrative allowance (10% of total to be paid into plan)	\$ 1,350.00
E. Net available to creditors	\$ 12,150.00

The Plan proposes the following treatment of the listed claims:

Creditor	Proposed Principal Amount	Rate	Term	Monthly Payment	Total
<u>TREATMENT OF SECURED CLAIMS:</u>					
Section 3.5 - Direct Payment of Secured Claims not in Default					
EECU	\$0.00	0.00		\$442.00	\$0.00
2021 INFINITY Q50 (Debtor is disbursing agent)					
TOTAL PAID TO SECURED CLAIMS:					\$ 0.00

TREATMENT OF ADMINISTRATIVE EXPENSES, DSO CLAIMS AND OTHER PRIORITY CLAIMS:

Section 4.3 - Attorney Fees:

HERRIN LAW PLLC	\$3,919.00	0.00		\$0.00	\$3,919.00
DEBTOR ATTORNEY					
TOTAL PAID TO PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS:					\$ 3,919.00

Section 5.2 - General Unsecured Claims

Allowed nonpriority unsecured claims shall comprise a single class of creditors and will be paid:

- ☐ 100% + interest
- ☐ 100% + interest with no future modifications to treatment under this section
- ☒ Pro Rata Share of all funds remaining after payment of all secured , priority, and specially classified unsecured claims .

Debtor Non Exempt Property	\$7,940.00
Trustee Asserted Non Exempt Property	\$7,940.00
TOTAL PAID TO PRIORITY, SPECIALLY CLASSIFIED UNSECURED AND SECURED CLAIMS:	\$3,919.00
AMOUNT AVAILABLE TO UNSECURED CLAIMS:	\$8,231.00
PROJECTED DISPOSABLE INCOME AMOUNT UNDER 11 USC §1325(b):	\$2,940.84

The Trustee objects to confirmation on the following grounds:

- The plan violates 11 USC §1325(a)(4) in that it does not pay unsecured creditors the value of what they would receive in a case under Chapter 7.
- The Debtor has not tendered to the Chapter 13 Trustee the following documents:
 - Statements for each of your depository and investment accounts for the time period that includes the date of the filing of the petition.
 - Current declaration regarding status of post-petition obligations. (TXEB Local Form 3015-c)
 - Copies of the EECU bank statements pre-petition (August and September) and all statements post-petition
- The Debtor liquidation value is not accurate and confirmation order must reflect non-exempt value. (Section 5.3)

WITNESS AND EXHIBIT LIST

The Trustee reserves the right to call as a witness any or all of the following listed persons in relation to confirmation:

1. Carey D. Ebert
3. Debtor
4. Any witness designated by other party

The Trustee reserves the right to introduce into evidence any or all of the following:

1. Copy of the Trustee's Confirmation Report, Witness and Exhibit List
2. Copies of any schedules or pleadings as filed herein by the Debtor or any other party
3. Copies of any Proof of Claim as filed herein by any creditor or other party
4. Copies of any Chapter 13 Plan and amendments thereof filed herein by the Debtor
5. Copy of the latest computer printout from the Trustee's office representing the Chapter 13 Plan payments received by the Trustee from the Debtor
6. If the Debtor is self-employed, the Debtor's monthly operating reports or profit and loss statements provided to the Trustee
7. Copies of the Debtor's prior years' tax returns as provided to the Trustee
8. Copy of Required Amendments sheet from the §341 Meeting of Creditors
9. Copy of any other document produced by the Debtor at the §341 Meeting of Creditors, or subsequently produced by the Debtor to the Trustee
10. Copy of the current issue of the Dallas/Fort Worth Metroplex Apartment Guide and/or copies of current reports from www.apartmentratings.com
11. Reports from news media sources for the DFW Metroplex
12. Copies of any other exhibits designated by any other party

Copies of these exhibits will be provided by the Trustee upon request by any party.

Respectfully submitted,

/s/ Carey D. Ebert

Carey D. Ebert, TBN 05332500

Office of the Standing Chapter 13 Trustee

500 North Central Expressway, Suite 350

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CERTIFICATE OF SERVICE

This is to certify the foregoing has been served on: (a) the parties listed below by either first class mail, the Court's electronic filing system (ECF), or by electronic means the recipient has consented to in writing; (b) all other parties receiving ECF notice; and (c) on any other party as listed in any additional certificate of service filed in connection with this pleading.

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ARLINGTON,, TX 76010

Dated: February 10, 2025

/s/ Carey D. Ebert
Office of the Standing Chapter 13 Trustee